



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,903	10/01/2003	Vanita Mani	123860/YOD GERD:0040	8076
7590		06/22/2007		
Patrick S. Yoder				
Fletcher Yoder				
P.O. Box 692289				
Houston, TX 77269-2289				
			EXAMINER	
			PATEL, RITA RAMESH	
			ART UNIT	PAPER NUMBER
			1746	
			MAIL DATE	DELIVERY MODE
			06/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/676,903	MANI ET AL.	
	Examiner	Art Unit	
	Rita R. Patel	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-15 and 70-79 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-15, and 70-79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Applicant's Arguments / Amendments

This Office Action is responsive to the amendment filed on 6/4/07. Claims 1-9, 11-15, and 70-79 are pending. Claim 6 has been amended.

In light of Applicant's remarks, the Office withdraws the finality of the former office action filed 4/17/07 because the Roseen reference fails to teach the claimed evaporator "configured to cool air downstream of the air outlet" as recited in claim 1. Applicant's arguments have been fully considered and are persuasive, thus the former 35 USC 102 and 35 USC 103 rejections have been overcome.

However, upon further consideration, the instant claims are rejected under new grounds of rejections and thus claims 1-9, 11-15, and 70-79 are rejected for the reasons of record.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7-9, 11, 14, 71, and 74 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldberg (US Patent No. 4,603,489).

Goldberg teaches a conventional laundry dryer machine for drying clothes within a rotating drying drum 14. The machine includes a condenser 25, evaporator 17, and compressor 26, tube 22 (condensate drain/fluid drain), sump 23 (fluid recovery system) for collecting water (cleaning solvent), a wet air heat exchanger 16 (blowing device) used to blow exhaust through an exhaust vent 31, and an expansion valve 27 (pressure reducing mechanism).

In Fig. 1 of Goldberg a closed airflow system is illustrated; in Fig. 2 of Goldberg an open airflow system is illustrated.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-13, 15, 70, and 75-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg as applied to claims above.

Goldberg teaches a rotating drying drum, however fails to recite the means by which the drum rotates. However, it is at once envisaged that the rotating drum has a motor with a rotational shaft coupled to the drum for rotating it. It is commonly known in the art of dryers that rotating drums are rotated by means of a motor and shaft.

Goldberg illustrates the dryer drum to be side-loading, however, it is commonly known in the art to have such laundry machines as side- or top-loading. Choice in

Art Unit: 1746

aesthetic designs was held to have been obvious. *St. Regis Paper Co. v. Beemis Co. Inc.* 193 USPQ 8, 11, (1977); *In re Harza* 124 USPQ 378 (CCPA 1960). Side- and top-loading laundry machines perform the same, except they merely provide a desired aesthetic; side-loading means may be desirable when little space is available for said machine and the washer and dryers are stacked on top of one another, on the corollary, a top-loading machine may be desirable when it is preferred by the user to remove clothes from the top, rather than from the side because in a side-loading machine the clothes may all tumble out when opened after a wash cycle or be harder to reach because the opening is too low to the ground. Top- and side-loading laundry machines are commonly interchangeable and known in the art; both these types of openings achieve the equivalent washing functions.

Goldberg teaches the claims invention having a heating device, except fails to recite the use of a supplemental heating device. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a duplicative heating device to increase the already known drying functions of the heater. It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced. *In re Harza*, 124 USPQ 378 (CCPA 1960). A supplemental heater would merely increase drying efficiency, which achieves the known functions of a heater.

Goldberg discloses heating and cooling the air within said apparatus, however, Goldberg does not recite specific drying temperatures or airflow rates. It would have been obvious to one having ordinary skill in the art at the time the invention was made

Art Unit: 1746

to optimize these features of Goldberg since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617 F.2d 272, 205 USPQ 215 (CCPA 1980). Optimizing air temperatures and airflow in a drying machine is merely a result effective variable and has no patentable significance because a known and expected drying result is produced.

Claims 5-6 and 72-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg as applied to claims above, and further in view of Berndt et al. herein referred to as "Berndt" (US Patent No. 6,059,845).


Goldberg fails to recite a cleaning solvent tank coupled to the laundry machine, however, Berndt teaches a laundry processing apparatus and describes adding the solvent siloxane from either a working tank 14 or a new solvent tank 16. Berndt's disclosure of a working tank teaches the recapture and reuse of a cleaning solvent. Moreover, Goldberg reinforces the idea of recycling cleaning fluid by teaching water collected in the sump 23 may be collected and used as distilled water (col. 2, lines 38-39). It would have been obvious to one of ordinary skill in the art at the time of the invention to have a siloxane tank attached to the laundry apparatus of Goldberg, as taught by laundry apparatus of Berndt to be a known cleaning fluid source. Laundry machines are commonly known in the art to have cleaning fluid sources to clean items therein as desired; commonly known cleaning fluids are water, cleaning solvents, detergents, fabric softeners, etc.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita R. Patel whose telephone number is (571) 272-8701. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



rrp



MICHAEL BARR
SUPERVISORY PATENT EXAMINER